

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.19180 OF 2005

DATED:31.8.2005

Between:

Sumitra Bai Goel,

W/o.Prahlad Rai Goel

R/o.1-11-222/6/D, Begumpet, Hyderabad

C/o.Vision Care Opticals, Hyderabad

...Petitioner

And

The Commissioner, Municipal Corporation of Hyderabad

Town Planning Section, Secunderabad Zone

Secunderabad and another

...Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.19180 OF 2005

ORDER:

The petitioner is owner of premises bearing No.1-11-222/60, at Begumpet. First respondent sent a communication to her requesting for cooperation in the road widening programme, as an area admeasuring 148.61 Sq.mts of her property would be affected. She was asked to give her consent for advance possession while informing that compensation would be paid. The petitioner did not give her consent. Apprehending coercive action for demolishing her property, present Writ Petition is filed.

Heard the learned counsel for the petitioner and the learned Standing Counsel for Municipal Corporation of Hyderabad.

The learned Standing Counsel has placed before this Court office file showing that petitioner and others in S.P.Road area did not give their consent for giving advance possession and therefore proceedings under the Land Acquisition Act, 1894 were already initiated. Therefore, the Writ Petition is misconceived. Now that the land acquisition proceedings are initiated, till they are completed, petitioner cannot be deprived of her right to enjoy the property, except in accordance with law.

The Writ Petition is accordingly disposed of. No costs.

---

(V.V.S.RAO, J)

31.8.2005

bnr

Note:CC by Monday- 5.9.2005.

(B.O)

bnr